

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

LARYIE EARL JONES, #156610,)
Petitioner,)
v.) CASE NO. 2:05-cv-0701-MEF
ANTHONY CLARK, *et al.*,)
Respondents.)

O R D E R

On August 20, 2007, the Magistrate Judge filed a Recommendation (Doc. #32) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The petition is DENIED as moot to the extent that Jones (a) challenges his pretrial custody on speedy trial grounds by seeking enforcement of his right to be brought to trial in a timely fashion and (b) seeks a reduction in his pretrial bail.
3. The petition is DISMISSED without prejudice to the extent that Jones seeks dismissal of the state charges against him and a subsequent bar to a state prosecution based on such charges.

DONE this 19th day of September, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE